

CLASSIFICATION OFFICE DECISION

Title of publication: 122745.jpg

Other known title(s): Not stated

OFLC ref: 1300545.007

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: The District Court At Timaru

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 08 July 2013

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The image file exploits the nudity of a young person to a degree that renders its availability likely to be injurious to the public good. The photographic image shows a girl in her mid-teens reclining naked outdoors. The camera focuses on her face and although the image is cropped at her waist, her posture and expression suggest sexual activity. The image is intended for people with a sexual interest in underage girls. No plausible alternative context or purpose is likely. The young girl's nudity is exploited with sexual intent.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.